

FILED '06 JUL 31 18:05 USDC-ORP

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MYA DUNN, )  
 )  
Plaintiff, )  
 ) No. CV-05-116-HU  
v. )  
 )  
CSK AUTO, INC., an )  
Arizona corporation, )  
dba SCHUCK'S AUTO SUPPLY, ) VERDICT  
 )  
Defendant. )  
\_\_\_\_\_ )

We, the duly-impaneled jury in the above-entitled case, do  
find as follows:

1. In regard to the Title VII claim, has plaintiff proven by  
a preponderance of the evidence that her pregnancy was a motivating  
factor in defendant's decision to terminate her employment?

Yes   X   No           

If your answer to Question No. 1 is no, proceed to Question  
No. 3. If your answer to Question No 1 is yes, proceed to Question  
No. 2.

1 - VERDICT

1           2. In regard to the Title VII claim, has defendant proven by  
2 a preponderance of the evidence that its decision to terminate  
3 plaintiff was because defendant determined that plaintiff falsely  
4 edited her time cards, and that it would have made the same  
5 decision to terminate plaintiff even if plaintiff's pregnancy had  
6 played no role in defendant's decision to terminate her?

7           Yes \_\_\_\_\_ No   X  

8  
9           Proceed to Question No. 3.

10  
11           3. In regard to the Oregon wrongful discharge claim, has  
12 plaintiff proven by a preponderance of the evidence that defendant  
13 wrongfully discharged her because of plaintiff's exercise or  
14 attempted exercise of her rights under the Oregon Family Leave Act?

15           Yes \_\_\_\_\_ No   X  

16  
17           If you answered no to Question No. 1 and no to Question No. 3,  
18 answer no further questions. Your presiding juror should sign and  
19 date this verdict form and notify the bailiff.

20           If you answered yes to Question Nos. 1 and 2 and no to  
21 Question No. 3, answer no further questions. Your presiding juror  
22 should sign and date this verdict form and notify the bailiff.

23           If you answered yes to Question No. 1 and no to Question No.  
24 2, or if you answered yes to Question No. 3, proceed to Question  
25 No. 4.

26  
27  
28  
2 - VERDICT

4. What are plaintiff's damages?

Non-economic: \$ 225,000

Economic: \$ " (wrongful discharge claim  
only; answer only if you  
answered yes to Question  
No. 3).

If you answered yes to Question No. 1 and no to Question No.  
2, proceed to Question No. 5. If you answered yes to Question No.  
3, proceed to Question No. 6.

5. Has plaintiff proven by a preponderance of the evidence  
she is entitled to punitive damages on her Title VII claim?

Yes X No           

Whether you answered Question No. 5 yes or no, if you answered  
yes to Question No. 3, proceed to Question No. 6. If you answered  
no to Question No. 3 and yes to Question No. 5, proceed to Question  
No. 7. If you answered no to Question No. 3 and no to Question No.  
5, answer no further questions. Your presiding juror should sign  
and date this verdict form and notify the bailiff.

6. Has plaintiff proven by clear and convincing evidence she  
is entitled to punitive damages on her wrongful discharge claim?

Yes            No           

If you answered yes to Question Nos. 5 or 6, proceed to  
Question No. 7. If you answered no to Question Nos. 5 and 6,

3 - VERDICT

1 answer no further questions. Your presiding juror should sign and  
2 date this verdict form and notify the bailiff.

3  
4 7. What amount of punitive damages, if any, do you award  
5 plaintiff?

6 \$ 250,000

7  
8 Your presiding juror should sign and date this verdict form  
9 and notify the bailiff.

10  
11 DATED this 31<sup>st</sup> day of July, 2006.

12  
13 Walter P. Tuncali  
14 PRESIDING JUROR